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Date:

(Filing No. H- )

**CRIMINAL JUSTICE AND PUBLIC SAFETY**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
132ND LEGISLATURE  
SECOND REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 67, L.D. 102, “An Act to Notify the Public of Juveniles Who Are Wanted Persons”

Amend the bill by striking out the title and substituting the following:

**'An Act to Notify the Public of Juveniles That Have Escaped a Department of Corrections Facility and to Direct the Department of Corrections to Study the Further Release of Juvenile Intelligence and Investigative Record Information'**

Amend the bill by striking out everything after the enacting clause and inserting the following:

**'Sec. 1. 15 MRSA §3308-A, sub-§4-A** is enacted to read:

**4-A. Limited dissemination; escaped juveniles.** Notwithstanding any provision of this Part or in Title 34-A, section 1216 to the contrary, when a juvenile has escaped from a Department of Corrections facility and there is probable cause to believe that the juvenile presents a serious risk to the juvenile's own safety or to public safety, the Commissioner of Corrections or the commissioner's designee may publicly disclose the following information for the purpose of identifying and apprehending the juvenile:

- A. The juvenile's physical description;
- B. A photograph of the juvenile;
- C. Any recent location of the juvenile;
- D. Any likely location of the juvenile;
- E. The fact that the Department of Corrections is searching for the juvenile; and
- F. Instructions for the public not to approach the juvenile, but to report any sightings or relevant information to a criminal justice agency.

**Sec. 2. Department of Corrections to convene working group.** The Department of Corrections shall convene a working group to examine best practices for apprehending a juvenile for whom a warrant of arrest has been issued, a juvenile who has

**COMMITTEE AMENDMENT**

1 escaped from arrest or a juvenile who has escaped from arrest during transport following  
2 arrest.

3 1. The working group's examination shall determine what juvenile intelligence and  
4 investigative record information, if any, should be made public to assist in the apprehension  
5 of wanted or escaped juveniles. In making this determination, the working group shall  
6 consider both the purpose of the Maine Juvenile Code and the potential safety risks to a  
7 wanted or escaped juvenile and to the public. If the release of juvenile intelligence and  
8 investigative record information is determined appropriate by the working group, the  
9 working group shall further determine best methods for a criminal justice agency to petition  
10 a court seeking the release of juvenile intelligence and investigative record information to  
11 the public to assist in the apprehension of juveniles. For the purposes of this section,  
12 "juvenile intelligence and investigative record information" has the same meaning as in the  
13 Maine Revised Statutes, Title 15, section 3308-A, subsection 1, paragraph E.

14 2. The Commissioner of Corrections, or the commissioner's designee, shall serve as a  
15 member of the working group and shall appoint, at a minimum, the following additional  
16 members to the working group:

17 A. One member representing a statewide association representing sheriffs;

18 B. One member representing a statewide association representing municipal chiefs of  
19 police;

20 C. One member who is a defense attorney with experience in the juvenile justice  
21 system;

22 D. One member who is a prosecuting attorney with experience in the juvenile justice  
23 system;

24 E. One member who is an active or retired judge with experience in the juvenile justice  
25 system upon the recommendation of the Chief Justice of the Supreme Judicial Court;  
26 and

27 F. One member with experience in law and policy development for juveniles.

28 The Commissioner of Public Safety or the commissioner's designee shall serve as an ex  
29 officio member.

30 **Sec. 3. Report.** By January 1, 2027, the Commissioner of Corrections shall submit  
31 a report to the joint standing committee of the Legislature having jurisdiction over criminal  
32 justice and public safety matters that includes the findings, recommendations and any  
33 suggested legislation by the working group under section 2 for apprehending escaped and  
34 wanted juveniles. The joint standing committee may report out legislation based on the  
35 report to the 133rd Legislature in 2027.'

36 Amend the bill by relettering or renumbering any nonconsecutive Part letter or section  
37 number to read consecutively.

### 38 SUMMARY

39 This amendment, which is the majority report of the committee, changes the title and  
40 replaces the bill. The amendment allows the Commissioner of Corrections, or the  
41 commissioner's designee, to publicly disclose certain juvenile information for the purpose  
42 of identifying and apprehending a juvenile who has escaped from a Department of

1 Corrections facility when there is probable cause to believe that the juvenile presents a  
2 serious risk to the juvenile's own safety or public safety. The amendment also directs the  
3 Department of Corrections to convene a working group to examine best practices for  
4 apprehending juveniles for whom a warrant of arrest has been issued, who have escaped  
5 from arrest or who have escaped from arrest during transport following arrest. The working  
6 group shall submit a report based on the study to the joint standing committee of the  
7 Legislature having jurisdiction over criminal justice and public safety matters no later than  
8 January 1, 2027. The joint standing committee may report out legislation based on the  
9 report to the 133rd Legislature in 2027.

10 **FISCAL NOTE REQUIRED**

11 **(See attached)**